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HONORABLE CHRISTOPHER M. ALSTON

6 UNITED STATES BANKRUPTCY COURT
7 WESTERN DISTRICT OF WASHINGTON

8 In re

9 B-1208 PINE, LLC,

10 Debtor.

11 Chapter 11

12 Case No. 24-10088-CMA

13 **OBJECTION TO CLAIM NO. 12 OF
14 RAYMOND CHENG & BIWRAN DENG,
15 NOTICE OF HEARING AND
16 CERTIFICATE OF MAILING**

17 TO: RAYMOND CHENG & BIWRAN DENG
18 AND TO: THE CLERK OF THE COURT
19 AND TO: THE HONORABLE CHRISTOPHER M. ALSTON
20 **RESPONSE DUE:** **THURSDAY, DECEMBER 26, 2024**
21 **HEARING DATE:** **THURSDAY, JANUARY 2, 2025**
22 **HEARING TIME:** **9:30 A.M. PACIFIC TIME**
23 **LOCATION:** Seattle Federal Courthouse
Courtroom 7206, 7th Floor
700 Stewart Street
Seattle, Washington 98101

17 **NOTICE IS HEREBY GIVEN** that the undersigned has filed an Objection to your claim in
18 the above-captioned Chapter 11 bankruptcy case, as detailed below.

19 **Your rights may be affected. Your claim may be reduced, modified, or eliminated. You
20 should read these papers carefully and discuss them with your attorney, if you have one.**

21 **PLEASE TAKE FURTHER NOTICE THAT** if you do not want the Court to reduce,
22 modify or eliminate your claim, then you or your attorney must file with the Court **on or before
23 December 26, 2024**, a written response to the objection, explaining your position. If your written
response is mailed to the Court for filing, you must mail it early enough so that the Court will receive
it on or before the date stated above; mail to the following address:

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BUSH KORNFELD LLP
LAW OFFICES
601 Union St., Suite 5000
Seattle, Washington 98101-2373
Telephone (206) 292-2110
Facsimile (206) 292-2104

**U.S. Bankruptcy Court
Western District of Washington
700 Stewart Street, Suite 6301
Seattle, WA 98101**

You must also mail a copy to the undersigned attorney at the address provided above.

PLEASE TAKE FURTHER NOTICE that a hearing to consider this Objection and allowance of your claim shall be held on **Thursday, January 2, 2025, at 9:30 a.m. Pacific Time** (the “Hearing”) in the United States Bankruptcy Court, located at the **Seattle Federal Courthouse, 700 Stewart Street, Courtroom 7206, 7th Floor, Seattle, Washington**.

IF YOU OPPOSE the Objection, you must file your written response with the court clerk and serve it upon the undersigned counsel NOT LATER THAN THE RESPONSE DATE, which is **Thursday, December 26, 2024**.

IF NO RESPONSE IS TIMELY FILED AND SERVED, the Court may, in its discretion, SUSTAIN THE OBJECTION PRIOR TO THE HEARING, WITHOUT FURTHER NOTICE TO YOU, and strike the Hearing.

B-1208 Pine, LLC, debtor in possession in the above-captioned chapter 11 bankruptcy case, objects to the above-named creditor/claimant's claim upon the grounds indicated below:

OBJECTION TO CLAIM

B-1208 Pine, LLC (the “Debtor”), debtor and debtor in possession in the above-captioned chapter 11 bankruptcy case (the “Chapter 11 Case”), hereby objects to the asserted claim of Raymond Cheng and Biwran Deng (“Claimants”) for the reasons set forth below:

1. On January 16, 2024 (the “Petition Date”), the Debtor filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code before this Court.

2. Throughout the pendency of this Chapter 11 Case, the Debtor operated and managed its business as a debtor in possession pursuant to sections 1107 and 1108 of the Bankruptcy Code.

3. Pursuant to Federal Rule of Bankruptcy Procedure 3003(c)(3) and the Court’s *Order Setting Claims Bar Date* [Docket No. 76], the deadline for non-governmental entities to file a proof of claim in this Chapter 11 Case was April 25, 2024 (the “Claims Bar Date”).

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1 4. On the Claims Bar Date, Claimants filed Proof of Claim No. 12 (the “Proof of Claim,”
2 and the asserted claim evidenced thereby, the “Claim”) with the Court in the Chapter 11 Case. *See*
3 Proof of Claim No. 12.

4 5. Claimants assert they hold an unsecured claim against the Debtor in the amount of
5 \$1,417,329.10 (the “Claim Amount”) arising from “[f]raud claims and joint and several liability for
6 those claims,” which are purportedly evidenced by a *Complaint* (the “Complaint”) for an action
7 pending in King County Superior Court. *Id.*

8 6. The Debtor objects to Claim No. 12 of Claimants Raymond Cheng and Biwran Deng
9 on the basis that the Proof of Claim, Complaint, and other supporting documentation fail to evidence
10 any claim against the Debtor but, rather, purport to evidence claims against third party non-debtors
11 Pine Esker, LLC, Vibrant Cities LLC, James Wong, Tyra Wong, Ming Fung, and Pui Leung
12 (collectively, the “Defendants,” and each, a “Defendant”). No Defendant is a debtor in this Chapter
13 11 Case. *See* Fed. R. Bankr. P. 3001(c). Absent submission of any supporting documentation
14 evidencing a claim against the Debtor, the Claim should be disallowed in its entirety.

15 7. This Objection is limited to the grounds stated herein. The Debtor expressly reserves
16 all further substantive or procedural objections. Nothing contained herein or any actions taken
17 pursuant to such relief is intended or should be construed as: (a) an admission as to the validity of any
18 claim against the Debtor; (b) a waiver of the Debtor’s right to dispute any claim on any grounds; (c) a
19 promise or requirement to pay any claim; (d) an implication or admission that any particular claim is
20 of a type specified in this Objection; or (e) a waiver of the Debtor’s rights under the Bankruptcy Code
21 or any other applicable law.

22 IF YOU OR YOUR ATTORNEY DO NOT TAKE THE STEPS SET FORTH ABOVE, THE
23 COURT MAY DECIDE THAT YOU DO NOT OPPOSE THE OBJECTION TO YOUR CLAIM.

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DATED this 26th day of November, 2024.

BUSH KORNFELD LLP

By /s/ Richard B. Keeton

James L. Day, WSBA #20474

Richard B. Keeton, WSBA #51537

Attorneys for the Debtor

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CERTIFICATE OF MAILING

I certify that on this 26th day of November, 2024, at Seattle, Washington, I caused copies of the *Objection to Claim No. 12 of Raymond Cheng & Biwran Deng, Notice of Hearing and Certificate of Mailing* to be mailed by U.S. First Class Mail, postage pre-paid to:

Fennemore Craig, P.C.
Attn: Brandi B. Baland
1425 Fourth Ave., Suite 800
Seattle, WA 98101

and emailed to: bbalanda@fennmorelaw.com.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Eric Yocom
Eric Yocom

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